

The Salisbury Planning Board held its regular meeting on Tuesday, January 25, 2005 in the City Council Chamber of the Salisbury City Hall at 4:00 p.m. with the following being present and absent:

PRESENT: Len Clark, Lou Manning, Brian Miller, Rodney Queen, Sandy Reitz, Jeff Smith, Albert Stout, and Rev. Jerry Wilkes

ABSENT: Dr. James Johnson, Valerie Stewart, and Diane Young

STAFF: Janet Gapen, Preston Mitchell, Diana Moghrabi, Joe Morris, Lynn Raker,

The meeting was called to order by Co-Chairman **Jeff Smith**. Reverend Jerry Wilkes offered an invocation. The minutes of the January 11, 2005 meeting were approved as published.

ZONING MAP AMENDMENTS

Co-Chairman Smith convened a Courtesy Hearing.

Z-01-05 Lindsey Monroe
314 Mocksville Ave.
Salisbury, NC

LOCATION: Approximately 725 feet south of the hospital along the east side of Mocksville Ave.

From: B-1

To: BCS

Parcel: 006 049, one parcel, .34 acres

Preston Mitchell, City of Salisbury's Senior Planner, made a Power Point presentation. The request is to rezone a 0.34-acre parcel from B1 (Office Institutional) district to BCS (Business Convenience Services) district. Lindsey Monroe is the potential lessee of the property and Dr. Baxter J. Smith is the owner. Ms. Monroe intends to use one side of the duplex as a beauty salon.

The Office Institutional district is intended primarily for the location of businesses of a service type which do not maintain a stock of goods for sale or retail trade. Special Convenience Service Business district is intended primarily for the location of convenience services and retailing of merchandise specifically for the adjacent neighborhood(s). All storage of goods and merchandise must be entirely within an enclosed building. Permitted uses may not occupy a gross floor area of more than 2,000 square feet within the building in which they are located. Ms. Monroe's unit does not exceed 1,300 square feet.

If the new code were in place today this would not be an issue for Planning Board.

Vision 2020

Policy N-7 states, "Appropriately located, and pedestrian oriented, designed and scaled stores and services providing basic necessities to residents of the city's older neighborhoods shall be encouraged. The availability of groceries, pharmaceuticals and other necessities continues to be

a basic need for residents in some older parts of the city. At the same time, small offices and other small businesses can provide suitable employment opportunities within walking distance of the home.”

Policy C-9 states that the City shall encourage the provision of convenience clusters for pedestrians, bicyclists and taxi/bus riders at appropriate locations in existing commercial areas. This is noted because the property is not located at a significant intersection or planned convenience cluster since most all of Mocksville Avenue, south of Mahaley Avenue, has been developed as new or residential conversion medical offices. Convenience uses located along this corridor will support the medical uses as well as the existing older residential neighborhoods east and west of Mocksville Avenue.

Staff Recommendation

Approval, because although this structure is not a new, pedestrian oriented commercial structure, the allowable uses, and definition of the BCS district, are consistent with Policy N-7 calling for the provision of basic necessities to residents of the City’s older neighborhoods. Those “convenience services” would not only provide basic necessities to the surrounding older neighborhoods but also to the numerous medical offices and hospital.

Board Discussion:

- Current landscaping will be appropriate.
- This property will have to remain two separate uses and not combined as one.
- Salons have been placed in the BCS because they are a little more intensive. They use some chemicals and stock retail products.
- Uses in BCS were read aloud. None were found offensive.
- They will be required to meet parking standards.

Those speaking in favor of the zoning change request: None

Those speaking in opposition to the zoning change request: None

Board Decision:

Rodney Queen thinks this convenience in this neighborhood would be appropriate. The rezoning relates well with the intention of the future Land Development Ordinance. Therefore, Mr. Queen made a motion to recommend approval of Z-01-05. Brian Miller seconded the motion with all members voting AYE.

COMMITTEE REPORTS

Committee 1

N. Main Small Area Study – Sandy Reitz, Chair, Lou Manning, V. Chair, Jeff Smith, and Albert Stout — With the expected adoption of a new Land Development Ordinance this year, much of the work of the Planning Board will shift to small area planning. When the City Council directed the Planning Board to study the North Main vicinity, it seemed the opportune time to begin making that shift and treat the North Main project as a model for future small area planning in the city. Staff and the committee recognized early on that local experience conducting small area

plans is limited to a study of the Hwy 70 corridor and the Park Avenue Strategic Plan, an exhaustive, consultant-driven planning effort that was initiated in response to a critical need for neighborhood stabilization. For that reason, the purpose of the meeting was to analyze planning efforts from other communities that might serve as models for conducting small area planning in Salisbury.

The staff will prepare a draft guidebook for small area planning before the next committee meeting. It will then be reviewed by the full Planning Board. A meeting will be scheduled after the guidebook has been drafted by staff.

Legislative Committee A

Sign Ordinance (Special Events) – Brian Miller, (chair), Jerry Wilkes, Lou Manning, Valerie Stewart, and Diane Young—The committee met January 21 to review a PowerPoint presentation prepared by staff on issues related to the special events sign ordinance. The review was necessary due to an ordinance stipulation requiring a one-year review of its effectiveness. The presentation summarized compliance/non-compliance over the past year, the history behind the special events provision including the link to community appearance, images of sign displays not in compliance, state statutes regarding civil penalties and recommendations of the committee.

The presentation will be reviewed by the Community Appearance Commission and the Planning Board at their regular meetings in early February before a presentation to City Council on February 15, 2005. The Council will be asked to consider the following points:

- Patterns of non-compliance
- Ways to promote awareness of and compliance with the provision
- Effectiveness of current enforcement procedures and civil penalty amounts

Brian Miller from the Planning Board and Barbara Perry from the Community Appearance Commission (CAC) will make the City Council presentation.

OTHER BOARD BUSINESS

Chairman

- Co-Chairman, Jeff Smith, requested an update on Z-18-04. Preston Mitchell reported that the request for a zoning map amendment was formally withdrawn by attorney Todd Paris, who represented Mrs. Dalton. Mr. Paris requested that staff move ahead with a text amendment.

Mr. Mitchell did some preliminary research to find suitable language for a text amendment that would address the placement of spiritual advisors. He found none.

The Planning Board agreed to send the matter to Legislative Committee B: Len Clark, ch, Sandy Reitz, v. ch., Rodney Queen, James Johnson, and Albert Stout, Jr. The committee will meet on Wednesday, February 2 at 8:30 a.m. in the first floor conference room.

- At the request of Co-Chairman, Jeff Smith, the Planning Board had a discussion about prioritizing the agenda of the regular Planning Board meetings. Should this be reflected in the Rules of Procedure? The intent is to hear zoning and group development cases at the first meeting of the month. The second meeting should be for planning and educational opportunities. Some Board members recall the second meeting being created as an opportunity to prevent the first meeting from going past 6:00.

Staff recommends allowing a limited number of cases at the second meeting of the month in the interest of customer service. The deadline for submitting a zoning map change, a request for a special use permit, or text amendment application is the 20th of the month.

One suggestion was for the Planning Board to use the first hour of the second meeting for committee reports and the second hour to break into committee meetings. This would allow “open meetings” and a standard time for committee meetings. Members of the Planning Board are called upon to spend their time in numerous committee meetings.

- The Planning Board acknowledged the resignation of Mitzi Clement from the Planning Board.

Other Board Members

- Jerry Wilkes attended a meeting on “Open Meetings” by David M. Lawrence. Reverend Wilkes believes the Planning Board has done a good job with this but could do better posting committee meetings.

Staff

- Joe Morris reminded the Planning Board of two events. The first is a training program for our boards and commissions. The training will be provided by Dr. Phillip Boyle, who will lead sessions on “Public Leadership in a Democratic Society: Balancing Values and Choices.” Dr. Boyle is a nationally renowned speaker and educator in the field of democratic decision-making. The training will be conducted on Thursday, February 3rd at the Rowan County Library, 201 W Fisher Street, in the Stanback Auditorium. The schedule for the training will be:

8:00 a.m. – 11:30 a.m.

Salisbury City Council, Salisbury Planning Board

5:00 p.m. – 6:00 p.m. Reception Honoring Boards and Commissions Members

Planning Board is invited to a reception honoring the Boards and Commissions members from 5:00 p.m. to 6:00 p.m. at the F&M Trolley Barn on Easy Street (corner of Liberty and Lee Streets) in Downtown Salisbury. The reception will serve as an opportunity to thank board and commission members for giving so generously of their time for the benefit of Salisbury.

- Preston acknowledged members whose terms would be expiring: Sandy Reitz, Albert Stout, Jr., Jerry Wilkes, James Johnson and Len Clark. All are invited to return for another term.

There being no further business to come before the Board, the meeting was adjourned.

Co-Chairman, Jeff Smith

Co-Chairman, Rodney Queen

Secretary, Diana Moghrabi